

Department of Planning & Community Development



REZONING STAFF REPORT

To: Franklin County Planning Commission

From: Terrance L. Harrington, AICP
Senior Planner

Date: November 30, 2016

Tax Parcel # 0440019006

District: Rocky Mount

Applicant: John Thomas Hudson

Owners John Thomas Hudson & Reva B. Hudson

NATURE OF REQUEST

This is a request of John Hudson to rezone an 11.36 acre parcel from M-1 Industrial to A-1 Agricultural. The property, which is vacant/wooded, is located at the end of Industry Blvd. in the Rocky Mount District. Mr. Hudson has owned this parcel since 1985. He also owns an adjacent 108.5 acre parcel zoned A-1 Agricultural. This 108.5 acre parcel is actively farmed by Mr. Hudson.

Both of the properties owned by Mr. Hudson are in the Land Use taxation program administered by the Commissioner of Revenue. The Commissioner's office notified Mr. Hudson several months ago that the 11.36 acre parcel had, for many years, been mistakenly included in this program. The property's M-1 zoning violates program guidelines, and disallows the inclusion of this property in the program. The Commissioner of Revenue has advised Mr. Hudson that the parcel could only continue in the land use taxation program if the zoning of the property was changed to A-1 by December 31, 2016. This A-1 zoning request has been submitted so that if rezoned by the Board of Supervisors, the 11.36 acre parcel can remain in the Land Use program. Mr. Hudson has no intended use of the property, although it may be selectively timbered at some point in the future.

SITE CHARACTERISTICS

This site was originally platted in 1981 as Tract 11 in the Franklin Industrial Park. All of the properties in the industrial park were zoned M-1 when the County adopted zoning in 1988. The property is vacant and wooded and is accessible via Industry Blvd, the developed portion of which terminates in a cul-de-sac at the northern edge of the Hudson property. An unimproved right-of-way for Industry Blvd extends down the eastern edge of the property.

The property is dissected by a wet weather stream that connects to the Blackwater River. Topographic elevations on the property range from 1100 to 1000 feet above sea level, with the lowest elevations generally being along the western edge of the property.

SURROUNDING PROPERTY CHARACTERISTICS

1255 Franklin Street, Suite 103, Rocky Mount, Virginia 24151

All of the properties within the Franklin Industrial Park remain zoned M-1. Most continue to be vacant and wooded. Five (5) businesses are located near the intersection of Energy Blvd. and Industry Blvd. These businesses primarily appear to be contractor/construction related. The closest business to the subject parcel is ProCon on Industry Blvd.

A Norfolk Southern rail line borders the western edge of the Franklin Industrial Park and the Hudson property. To the west of the rail line the property is undeveloped and is zoned RE Residential Estates.

UTILITIES

The Hudson property is not served by public water and sewer. However, the property is included in the water and wastewater service areas for the Western Virginia Water Authority as amended and re-adopted by the Board of Supervisors several months ago.

COMPREHENSIVE PLAN AND OVERLAY CORRIDOR

Although this property is approximately 1700 feet from Route 220 and separated from Route. 220 by a river and rail line, the property is included in the Route 220 Corridor Plan and the Franklin County Comprehensive Plan as a Mixed Use Commercial Highway Corridor. Commercial Highway Corridors are linear commercial developments along established primary highways. These highway corridors are intended to provide development opportunities extending behind the parcels that front on the primary highway.

PUBLIC COMMENTS

The request has been reviewed by the Virginia Department of Transportation, the Western Virginia Water Authority, the Health Department and Franklin County Public Safety. No public comments have been received from these agencies or surrounding property owners that were notified of this request.

Mike Burnette, Franklin County's Director of Economic Development has reviewed this request and commented that he has no comments or objections to rezoning the Hudson property to A-1 Agricultural.

ANALYSIS AND STAFF RECOMMENDATION

This M-1 to A-1 rezoning request has been submitted by the property owner so that he can continue to accrue the tax benefits associated with participation in the County's Land Use program. The 11.36 acre parcel is not proposed for development, however, Mr. Hudson may decide to selectively timber the property as some time in the future.

A-1 zoning for this property does not preclude the eventual rezoning and development of the property for a higher intensity use. Any future proposal for a higher intensity use of this property can be evaluated for conformance with the comprehensive plan, availability of public facilities and compatibility and impact of the proposal on surrounding properties.

The staff recommends the approval of this rezoning request, but recommends that Mr. Hudson proffer to limit the use of the property to agriculture and/or forestall operations, two uses allowed in the A-1 Agricultural zoning district. Such a proffer will preclude use of the property for any of the more intensive uses allowed in A-1.

SUGGESTED MOTIONS

The following suggested motions are sample motions that may be used.

(APPROVE) I find that the proposal will not be of substantial detriment to adjacent property, that the character of the projected future land use of the community will not be adversely impacted, that such use will be in harmony with the purpose and intent of the zoning ordinance and with the public health, safety and general welfare. Therefore I move to recommend approval of the petitioner's request to rezone, with acceptance of the proffered condition as follows:

1. The property shall only be use for agriculture or forestall operations.

OR

(DENY) I find that the rezoning proposal is inconsistent with adopted policies and that the proposal will not aid in the creation of a convenient, attractive, or harmonious community. Therefore I move to recommend denial of the request.

OR

(DELAY ACTION) I find that the required information for the submitted petition is incomplete. Therefore I move to delay action until additional necessary materials are submitted to the Planning Commission.